

# EXHIBIT 144

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,  
MASSACHUSETTS,  
WASHINGTON, COLORADO,  
CONNECTICUT, DELAWARE,  
DISTRICT OF COLUMBIA,  
HAWAII, ILLINOIS, IOWA, NEW  
MEXICO, NORTH CAROLINA,  
OREGON, PENNSYLVANIA,  
RHODE ISLAND, VERMONT, and  
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official  
capacity as President of the United  
States; U.S. DEPARTMENT OF  
HOMELAND SECURITY; ELAINE  
C. DUKE, in her official capacity; U.S.  
CITIZENSHIP AND IMMIGRATION  
SERVICES; U.S. IMMIGRATION  
AND CUSTOMS ENFORCEMENT;  
and the UNITED STATES OF  
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228  
(NGG) (JO)

### **Declaration of Biddy Martin**

I, Carolyn A. (“Biddy”) Martin, declare as follows:

1. I am the president of Trustees of Amherst College, known to the public as Amherst College (“Amherst”). I have been employed in this capacity since 2011.
2. I have either personal knowledge of the matters set forth below or, with respect to those matters for which I do not have personal knowledge, I have reviewed information gathered from the College’s records by others within the organization.
3. Amherst College is a private residential liberal arts college founded in 1821. Amherst enrolls approximately 1,850 undergraduate students in pursuit of its mission to educate students from all backgrounds so that they may seek, value, and advance knowledge, engage the world around them, and lead principled lives of consequence.
4. Consistent with our motto, *terras irradiant* (“let them give light to the world”), Amherst College considers it a moral imperative to actively identify, recruit, and enroll the most promising students regardless of their financial circumstance or immigration status – including DACA and undocumented students. Over the past fifteen years in particular, Amherst College has achieved unparalleled success in assembling one of the most diverse student bodies of any institution of higher education in the world. The college values this diversity as essential to enhancing intellectual inquiry and preparing students to lead lives of global consequence. The college’s strategic plan confirms the value of that diversity, noting: “as diversity has increased, the quality of the students has also risen by every standard measure.”
5. Critical to that diversity has been the enrollment of talented DACA students, who bring invaluable individual perspectives, experiences, and contributions to the college’s

purposefully small residential community. Each of these students earned admission to the college on the basis of their own merit, often overcoming substantial odds to attain both academic and non-academic success in spite of living in constant fear of deportation and without the myriad benefits that are made available to persons who are considered to be lawfully present in this country.

6. Amherst College invests substantial resources in supporting all of its students – including its DACA students. Among other things, Amherst’s specific support for DACA students includes: a) designating a significant portion of a newly-created staff position to serving the needs of DACA and undocumented students; and b) paying for consultations with an immigration attorney.

7. Notwithstanding significant efforts by Amherst College to support its DACA students, the decision to rescind DACA in particular prevents DACA students from experiencing the full range of opportunities made available to all other students at Amherst College. For example, among the graduating classes of 2016 and 2017, approximately forty-five percent (45%) participated in study abroad opportunities. During the time period in which DACA was effective, at least three Amherst College students with DACA status were able to take advantage of this opportunity. The elimination of the DACA program and the cancellation of advance parole render the college’s DACA students unable to participate in study abroad opportunities without risking loss of their DACA status and deportation upon their return from study abroad. Thus far, at least two Amherst College DACA students have cancelled their study abroad plans due to concerns that the DACA program would be rescinded.

8. As another example: eighty-nine percent (89%) of the graduating class of 2017 was employed by the college for at least one semester. These mostly on-campus jobs provide students opportunities to develop important skills, in addition to further enhancing their resumes and post-graduation employment prospects. These students also provide vital services to the college, from admission tour guides who play an important role in introducing prospective students and their families to the college, to student researchers who provide critical assistance to professors while making important discoveries that benefit not only the college, but occasionally the world. Unfortunately, the rescission of DACA, and the work authorizations that were provided under DACA, will prevent Amherst College from making these critical employment opportunities available to DACA students, thus depriving those students of opportunities overwhelmingly utilized by their peers.

9. The rescission of DACA creates complications for students with regard to off-campus employment and post-graduation employment prospects as well. At least one Amherst College DACA student has already received a post-graduation offer of employment. The rescission of DACA effectively precludes this student from accepting this offer of employment because the student will no longer be eligible to work in the U.S. once the student's current work authorization expires. The lack of continued work authorization has also harmed this student's ability to apply for other jobs, as most applications require some form of disclosure of whether the student is eligible to work in the United States.

10. In addition to the aforementioned practical ways in which DACA students are harmed by the decision to rescind DACA, they also face very real consequences that affect their well-being and participation in the classroom and the Amherst College community.

Amherst College professor Leah Schmalzbauer has provided me the following summary of the effects she has witnessed first-hand:

- a. I have been working closely with several undocumented and DACA students for the past three years. During this time, I have noted the high levels of anxiety and stress that undocumented students carry, and I have noted the way in which getting DACA helped alleviate that anxiety and stress. DACA moreover enabled students to pursue opportunities and expand their aspirations in powerful ways. Every DACA student with whom I have worked told me that they would not have gone to college without DACA and they would not have set high professional goals. Their aspirations now include lawyer, professor, and journalist. But perhaps most importantly, DACA gave my students a sense of belonging in this country, and a sense of being valued that they did not have when they were undocumented. In the weeks leading up to the rescission of DACA and currently, the DACA students with whom I am working closely are struggling emotionally. They are terrified that they will be separated from their families. Some have had emotional breakdowns and/or have been diagnosed with medical or mental health issues as a result of the stress. Some don't even feel safe seeking professional support.

11. Secondary to the very real harm incurred by DACA students, Amherst College also suffers harm from the rescission of DACA in various ways.

- a. Due to concerns about the inability to receive financial assistance in the form of campus employment, medical/mental health issues related to the rescission

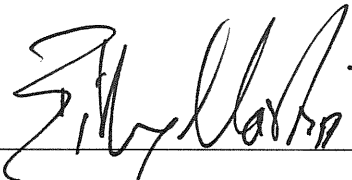
of DACA, and diminished prospects of post-graduation employment, many DACA beneficiaries and undocumented individuals may not enroll or even apply to Amherst College in the first place. For similar reasons, students who have already enrolled may feel that they are unable to continue their college education. If new DACA and undocumented students do not apply, or if current students are forced to drop out, the college will be deprived of a critical source of the diversity we so highly value. Moreover, if current DACA students are forced to drop out, the college will be deprived of the contributions those students were making both inside and outside the classroom. Even those DACA students who remain enrolled may be less active on campus, thus further depriving the college of the full extent of their contributions.

- b. The college must allocate additional institutional funds to help DACA students: i) fund their education without the benefit of campus employment; and ii) pay for additional legal consultations necessitated by the decision to rescind DACA.
- c. The college risks losing valuable current employees – including student employees – as their DACA status and accompanying work authorization expire. In addition, the college would incur additional expenses to hire and train employees to fill any such vacancies. Furthermore, the rescission of DACA precludes the college from hiring otherwise qualified candidates for various positions moving forward.

- d. The college has expended and will continue to have to expend significant resources in monitoring developments related to DACA – particularly the rescission of the DACA program. This includes the creation and update of dedicated resource webpages, regular meetings by an internal crisis response team, ongoing communications to the campus community, and targeted education efforts regarding the confidentiality of student information.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 22<sup>nd</sup> day of September, 2017



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Carolyn A. ("Biddy") Martin